

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LENNOX DAVID,	:	CIVIL ACTION NO. 1:04-CV-2778
	:	
Petitioner	:	(Judge Conner)
	:	
v.	:	
	:	
JOHN ASHCROFT, et al.,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 29th day of August, 2005, upon consideration of the petitions for writ of habeas corpus (Docs. 1, 3), challenging a final order of removal and seeking release from detention pending removal, see Zadvydas v. Davis, 533 U.S. 678 (2001), and it appearing that petitioner's recent deportation has made the requests for release from detention moot (see Doc. 23), see Khodara Env'tl., Inc. ex rel. Eagle Env'tl., L.P. v. Beckman, 237 F.3d 186, 192-93 (3d Cir. 2001) ("Article III of the Constitution grants the federal courts the power to adjudicate only actual, ongoing cases or controversies."); Blanciak v. Allegheny Ludlum Corp., 77 F.3d 690, 698-99 (3d Cir. 1996) ("If developments occur during the course of adjudication that eliminate a plaintiff's personal stake in the outcome of a suit or prevent a court from being able to grant the requested relief, the case must be dismissed as moot."), it is hereby ORDERED that:

1. Petitioner's requests for release from detention pending removal are DENIED as moot. (See Docs. 1, 3)
2. Respondents shall, on or before September 9, 2005, file with the court a notice indicating whether and to which court of appeals the petitions challenging the final order of removal should be transferred. See The Real ID Act of 2005, Pub. L. No. 109-13, 119 Stat. 231, 311 (2005).
3. Petitioner shall, within thirty (30) days of the filing of respondents' notice, file with the court a statement of concurrence or nonconcurrence.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge